

# EXHIBIT A

DAVID CHIU, State Bar #189542  
City Attorney  
YVONNE R. MERÉ, State Bar #173594  
Chief Deputy City Attorney  
TARA M. STEELEY, State Bar #231775  
THOMAS S. LAKRITZ, State Bar #161234  
JOHN H. GEORGE, State Bar #292332  
KAITLYN M. MURPHY, State Bar #293309  
Deputy City Attorneys  
City Hall, Room 234  
1 Dr. Carlton B. Goodlett Place  
San Francisco, California 94102-4682  
Telephone: (415) 554-4655 (Steeley)  
(145) 554-4628 (Lakritz)  
(415) 554-4223 (George)  
(415) 554-6762 (Murphy)  
Facsimile: (415) 554-4699  
E-Mail: tara.steeley@sfcityatty.org  
tom.lakritz@sfcityatty.org  
john.george@sfcityatty.org  
kaitlyn.murphy@sfcityatty.org  
  
Attorneys for Defendant  
CITY AND COUNTY OF SAN FRANCISCO

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JANE ROE, an individual; MARY ROE, an individual; SUSAN ROE, an individual; JOHN ROE, an individual; BARBARA ROE, an individual; PHOENIX HOTEL SF, LLC, a California limited liability company; FUNKY FUN, LLC, a California limited liability company; and 2930 EL CAMINO, LLC, a California limited liability company,

Plaintiffs,

vs.

CITY AND COUNTY OF SAN FRANCISCO, a California public entity,

Defendant.

Case No. 4:24-cv-01562-JST

**STIPULATION RE: MEDICAL RECORDS OF  
MARY ROE AND SUSAN ROE**

**STIPULATION RELATED TO SUBPOENAS FOR MEDICAL RECORDS**

**WHEREAS** on or about December 31, 2024, counsel for the City and County of San Francisco (the “City”) arranged for service of two subpoenas to certain medical providers for Plaintiffs Mary Roe and Susan Roe;

**WHEREAS** one subpoena requested “any and all medical, psychiatric, billing (charges, payments, adjustments, and liens), radiology, and imaging records related to [Mary Roe] from 12/30/2014, to present;”

**WHEREAS** the other subpoena requested “any and all medical, psychiatric, billing (charges, payments, adjustments, and liens), radiology, and imaging records related to [Susan Roe] from 12/30/2014, to present;”

**WHEREAS** on or about January 14, 2025, counsel for Mary Roe and Susan Roe sent a letter to the City’s counsel asserting objections to the subpoenas and requested that the City withdraw both subpoenas; and

**WHEREAS** counsel for Mary Roe, Susan Roe, and the City have met and conferred regarding the two subpoenas and have reached an agreement on the following terms:

1. Mary Roe will limit the evidence of her disabilities in the first, second, and third causes of action alleged in the First Amended Complaint for Injunctive and Equitable Relief (“FAC”) (ECF No. 50) to her COPD and herniated disc. Mary Roe will not seek to introduce evidence or testimony at trial or any hearing of any other disabling or medical condition to establish liability with respect of the first, second, and third causes of action alleged in the FAC or superseding complaint.

2. Susan Roe will limit the evidence of her disabilities in the first, second, and third causes of action alleged in the FAC to her spine and back. Susan Roe will not seek to introduce evidence or testimony at trial or any hearing of any other disabling or medical condition to establish liability with respect of the first, second, and third causes of action alleged in the FAC or superseding complaint.

3. Based on Mary Roe’s agreement in paragraph 1, the City will limit any subpoena or other discovery device requesting Mary Roe’s medical records to her COPD and herniated disc. The City will issue a new subpoena conforming to this agreement.

///

1           4.       Based on Susan Roe's agreement in paragraph 2, the City will limit any subpoena or  
2 other discovery device requesting Mary Roe's medical records to her spine and back. The City will  
3 issue a new subpoena conforming to this agreement.

4           5.       The City will also narrow the subpoenas for Mary Roe's and Susan Roe's medical  
5 records to January 1, 2020 to present, but reserves the right to seek additional medical records before  
6 January 1, 2020, based on the City's expert's review of the first set of medical records. The City will  
7 issue a new subpoena conforming to this agreement.

8           6.       With respect to psychiatric or mental health records, Mary Roe and Susan Roe agree  
9 that they will not introduce evidence or testimony at trial or any hearing regarding any psychiatric or  
10 mental health diagnoses or conditions they may have to establish the City's liability for any cause of  
11 action in the FAC or superseding complaint. Based on this agreement, the City will agree to limit its  
12 subpoenas to not include psychiatric records or seek psychiatric records nor request psychiatric or  
13 mental health records with any other subpoena or discovery device. Nothing in this agreement  
14 precludes Mary Roe and Susan Roe from introducing evidence or testimony at trial or any hearing  
15 regarding "garden variety" emotional distress (i.e. typical emotional responses to distressing situations  
16 that a reasonable person would experience under similar circumstances and that does not need medical  
17 or expert testimony to prove the extent of the distress). The City reserves the right to challenge the  
18 admissibility of any evidence or testimony Mary Roe and Susan Roe may seek to introduce at trial or  
19 any hearing regarding "garden variety" emotional distress.

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

7. With respect to billing records, the City agrees to limit any subpoena or other discovery device to not include billing records for Mary Roe and Susan Roe. Thus, the City will not seek billing records in the new subpoenas it issues, as outlined above.

Dated: February 7, 2025

DAVID CHIU  
City Attorney  
YVONNE R. MERÉ  
Chief Deputy City Attorney  
TARA M. STEELEY  
THOMAS S. LAKRITZ  
JOHN H. GEORGE  
KAITLYN M. MURPHY  
Deputy City Attorneys

By: /s/ Thomas S. Lakritz  
THOMAS S. LAKRITZ

Attorneys for Defendant  
CITY AND COUNTY OF SAN FRANCISCO

Dated: February 7, 2025

WALKUP, MELODIA, KELLY & SCHOENBERGER

By: \*\* /s/ Ashcon Minoiefar  
ASHCON MINOIEFAR

Attorneys for Plaintiffs  
JANE ROE, MARY ROE, SUSAN ROE, JOHN ROE,  
BARBARA ROE, PHOENIX HOTEL SF, LLC, FUNKY  
FUN, LLC, and 2930 EL CAMINO, LLC

*\*\*Pursuant to Civil L.R. 5-1(i)(3), the electronic signatory has obtained approval from this signatory.*